

Amendment No. 664

Senate Amendment to Assembly Bill No. 299

(BDR 20-785)

Proposed by: Senate Committee on Judiciary**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date	
Adopted	☐	Lost	☐	_____		Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____		Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____		Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold*** is newly added transitory language.

BAW



Date: 5/2/2007

A.B. No. 299—Makes various changes to provisions concerning youth shelters.
(BDR 20-785)



ASSEMBLY BILL NO. 299—ASSEMBLYMEN CONKLIN, HORNE, OCEGUERA, GERHARDT,
ALLEN AND PARKS

MARCH 13, 2007

Referred to Committee on Government Affairs

SUMMARY—Makes various changes to provisions concerning youth shelters.
(BDR 20-785)FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to youth shelters; revising the definition of “runaway and homeless youth” for consistency with the federal definition for purposes of provisions which authorize counties to designate approved youth shelters; **revising the requirements for designation of a youth shelter as an approved youth shelter**; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides that an approved youth shelter and its director, employees, agents or volunteers are immune from civil liability for certain actions taken while admitting, releasing or caring for a runaway or homeless youth. (NRS 244.429) **Section 1** of this bill revises the definition of “runaway and homeless youth” as used in the sections addressing approved youth shelters for consistency with the definition set forth in the McKinney-Vento Homeless Assistance Act, 42 U.S.C. § 11434a(2). (NRS 244.424) **Section 2** of this bill requires approved youth shelters to **make a reasonable, bona fide** attempt to notify the parent, guardian or custodian as to the whereabouts of a runaway or homeless youth as soon as practicable, except in cases of suspected abuse or neglect, rather than requiring actual notice.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:**Section 1.** NRS 244.424 is hereby amended to read as follows:244.424 “Runaway or homeless youth” means a youth who : ~~is:~~1. ~~Without a place of shelter where supervision and care are available; or~~ **Is under 18 years of age; and**2. ~~Absent from his legal residence without the consent of his parent, guardian or custodian.~~ **Lives in a situation described in 42 U.S.C. § 11434a(2)(B)(ii)-(iii) with or without the consent or knowledge of his parent, guardian or custodian.**

1 **Sec. 2.** NRS 244.428 is hereby amended to read as follows:

2 244.428 1. The board of county commissioners of any county may provide
3 by ordinance for the designation of a youth shelter operated within the county as an
4 approved youth shelter.

5 2. If a board of county commissioners has adopted an ordinance pursuant to
6 subsection 1, a youth shelter that is located in that county and seeking to be
7 designated as an approved youth shelter may apply to the board of county
8 commissioners for such a designation.

9 3. An ordinance adopted by a board of county commissioners pursuant to
10 subsection 1 must:

11 (a) Prescribe the requirements for designation of a youth shelter as an approved
12 youth shelter, including, without limitation:

13 (1) A requirement that the youth shelter provide necessary services;

14 (2) The form and manner of the application for designation or renewal of a
15 designation as an approved youth shelter;

16 (3) An application fee in an amount not to exceed the actual cost to the
17 county for reviewing the application; and

18 (4) A requirement that an applicant must comply with the provisions of an
19 ordinance adopted pursuant to this section and with all applicable federal, state and
20 local laws and ordinances pertaining to shelters for the homeless.

21 (b) Provide for reasonable inspections of an approved youth shelter to confirm
22 that the youth shelter is complying with the provisions of an ordinance adopted to
23 carry out the provisions of this section.

24 (c) Provide for the revocation of a designation as an approved youth shelter for
25 failure to comply with the provisions of an ordinance adopted to carry out the
26 provisions of this section.

27 (d) Require an approved youth shelter to conduct an interview to determine
28 whether a youth is a runaway or homeless youth and is qualified to receive the
29 necessary services of the approved youth shelter.

30 (e) Upon admission of a runaway or homeless youth to a shelter, require:

31 (1) ~~The notification of~~ ~~Am~~ *A reasonable, bona fide attempt to notify* the
32 parent, guardian or custodian of the runaway or homeless youth concerning the
33 whereabouts of the runaway or homeless youth as soon as practicable, except in
34 circumstances of suspected abuse or neglect;

35 (2) The notification of state and local law enforcement agencies concerning
36 the whereabouts of the runaway or homeless youth; and

37 (3) A licensed professional to perform an evaluation of the youth to
38 determine:

39 (I) The reasons why the youth is a runaway or homeless youth;

40 (II) Whether the youth is a victim of abuse or neglect; and

41 (III) Whether the youth needs immediate medical care or counseling.

42 (f) Require an approved youth shelter to return or facilitate the return of a
43 runaway or homeless youth to the parent, guardian or custodian who was notified of
44 the whereabouts of the runaway or homeless youth pursuant to subparagraph (1) of
45 paragraph (e) if the parent, guardian or custodian so requests.

46 (g) Provide for the liability of a parent, guardian or custodian of a runaway or
47 homeless youth for any expenses or costs incurred by the approved youth shelter
48 for providing services to the runaway or homeless youth only if the services of the
49 shelter were obtained through fraud or misrepresentation.

50 (h) Require the information or records obtained by an approved youth shelter
51 to remain confidential, unless the use or disclosure of the information or records is
52 necessary to:

53 (1) Locate a parent, guardian or custodian of a runaway or homeless youth;

1 (2) Comply with the duty to report abuse or neglect of a child pursuant to
2 NRS 432B.220;

3 (3) Notify state and local law enforcement agencies or the clearinghouse;
4 or

5 (4) Seek appropriate assistance for a runaway or homeless youth from
6 public and private agencies.

7 4. In a county where the board of county commissioners has adopted an
8 ordinance pursuant to subsection 1, the board of county commissioners may
9 establish, by ordinance, other regulations as are necessary to carry out the
10 provisions of this section.

11 5. As used in this section:

12 (a) "Abuse or neglect" means abuse or neglect of a child as defined in
13 NRS 432B.020.

14 (b) "Clearinghouse" has the meaning ascribed to it in NRS 432.150.

15 (c) "Licensed professional" includes, without limitation:

16 (1) A social worker;

17 (2) A registered nurse;

18 (3) A physician;

19 (4) A psychologist;

20 (5) A teacher; or

21 (6) Any other class of persons who are identified in an ordinance adopted
22 by a county who hold a professional license in this State and who are trained to
23 recognize indications of abuse or neglect.

24 **Sec. 3.** This act becomes effective on July 1, 2007.